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Web comment on 2010 SMA Rule Amendments from SMP Rulemaking 2010.csv

E0013

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PM

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ROCK POINT OYSTER CO

Why has the DOE strayed from the SARC recommendations and making changes that were not recommended or supported in the minority by SARC? Many of these changes will have significant negative impact upon small business and aquaculture in Puget Sound while not significantly improving the water quality or shoreline condition. You should review the SARC recommendations and remain consistent with those recommendations.

The small business economic impact statement analysis is flawed. The analysis focuses on geoduck aquaculture only yet there are many other changes under other sections which would impact small business. The analysis looked at the cost of an application but did not add in other associated costs for applying for and obtaining a conditional use permit.

Rock Point Oyster Company Inc. does not grow geoduck but many of your proposed rule changes will affect our business as well. Ecology should more closely align with the intent of HB2220 and only make recommended changes provided by SARC.

Ecology proposes that subsistence commercial and recreational shellfish beds would no longer be classified as critical saltwater habitats. The shellfish raised on Rock Point property require the highest quality of water protection and the critical saltwater habitat designation helps to ensure that water quality is maintained. Our shellfish beds are a major contributor to the Tarboo Bay estuary habitat critical for the Tarboo salmon recovery and support of many wildlife species therefore requiring a high level of protection. Shellfish farming has been a part of this habitat for 75 years and the farm is a part of the North

Dabob/Tarboo Bay habitat. Farming shellfish in this area maintains a healthy shellfish population which contributes to the biodiversity and water quality of the estuary. Please restore the language designating subsistence commercial and recreational shellfish beds as "critical saltwater habitats". Ecology proposed removing language that identifies aquaculture as an activity of "statewide interest". Our farm has received important protection in the past since aquaculture has been considered important as a statewide economic base with a long history of environmental champions. Removing this language will diminish the importance of protecting my farm and make permitting more difficult in the future. Please leave the original language which acknowledges aquaculture as being of "statewide interest" and recognizes the benefits of aquaculture in protecting the resources and ecology of the shoreline. Ecology proposes to add language that aquaculture is preferred when it is water dependent. Aquaculture is always dependent on the use of tidelands bays and open water areas and adding some qualification as you have will force me to prove that dependence when I go through routine permitting processes. The WAC should clearly reflect that aquaculture is a preferred water dependent use. Ecology proposes to expand areas where aquaculture should not be permitted and lowers the priority of aquaculture behind other uses like navigation and other water-dependent uses. This will restrict the activity on my farm and may cause me to eliminate some functions that have been standard practice for 75 years. All it will take is for a boater traveling out of their navigational comfort zone to file some claim that my shellfish racks impeded their journey across our farm. All intertidal areas are subject to navigational restrictions and must be considered when broad brushed changes are made to the rules. Please leave the original language which gives aquaculture equal standing with other water dependent uses.